IN THE HIGH COURT OF JUDICATURE OF CHHATTISGARH AT BILASPUR

SINGLE BENCH

Writ Petition (C) No. 7559 /2006

Petitioners:

1. Bhagau Ram aged 40 years son of Panchu Ram, Caste Gond,
2. Dhelu Ram aged 45 years, son of Panchu Ram, Caste Gond

Both of them resident of Village Belpan, Tahsil Takhatpur, Distt. Bilaspur (C.G.)

VERSUS

Respondent:s

1. Motiram son of Kunwar Singh Gond, resident of Sajapali (Gobripat), Tahsil Kota, Distt. Bilaspur (C.G.)
2. State of Chhattisgarh through Collector, Bilaspur (C.G.)

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WRIT PETITION UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA.

XI-HC-78

(20)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..W.P.(C)No...7559/ **सन् 2006**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

15-1-2007

Shri Kamal Pandey, Advocate for the petitioners.
Shri Sanjay S. Agrawal, Govt. Adv. for the respondent No. 2.
Heard.

This petition is directed against the order dated 2-11-2006 passed by 7th Civil Judge Class II, Bilaspur.

Learned counsel for the petitioners submits that on 5-10-2006 two witnesses were examined on behalf of the plaintiffs and the matter was adjourned for 2-11-2006. On 2-11-2006 also P.W. 3 Prahlad was examined on behalf of the plaintiff, however the Court below refused the request of the plaintiffs to give opportunity to examine the last witness on the ground that the plaintiffs have sought adjournment on various occasions and final opportunity was given to the plaintiffs on 14-7-2006 to examine their witnesses. He submits that that now the matter has been fixed for recording evidence of defence witnesses. Learned counsel for the petitioners submits that only one witness is required to be examined namely Dilip Singh on behalf of the plaintiffs and he undertakes to keep that witness present before the trial Court.

In the light of the submission made by counsel for the petitioners, the petition is disposed of with a direction to the trial Court to examine witness Dilip Singh on the next date. The plaintiff is also directed to keep Dilip Singh present before the trial Court on the next date.

Consequently, M.W.P. No. 5159/2006 stands disposed of.

Sd/-
Dhirendra Mishra
Judge